

United States District Court

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

UNITED STATES OF AMERICA

V.

Gerardo Gomez-Garcia

United States District Court
Southern District of Texas
FILED

FEB 02 2019

CRIMINAL COMPLAINT

Case Number: M-19-0240-M

IAE

YOB:

1988

Clerk of Court

Mexico

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my

knowledge and belief. On or about February 1, 2019 in Starr County, inthe Southern District of Texas

(Track Statutory Language of Offense)

being then and there an alien who had previously been deported from the United States to Mexico in pursuance of law, and thereafter was found near Roma, Texas, within the Southern District of Texas, the Attorney General of the United States and/or the Secretary of Homeland Security, not theretofore having consented to a reapplication by the defendant for admission into the United States;

in violation of Title 8 United States Code, Section(s) 1326 (Felony)

I further state that I am a(n) Senior Patrol Agent and that this complaint is based on the following facts:

Gerardo Gomez-Garcia was encountered by Border Patrol Agents near Roma, Texas on February 1, 2019. The investigating agent established that the Defendant was an undocumented alien and requested record checks. The Defendant claims to have illegally entered the United States on February 1, 2019, near Roma, Texas. Record checks revealed the Defendant was formally Deported/Excluded from the United States on January 26, 2019 through Hidalgo, Texas. Prior to Deportation/Exclusion the Defendant was instructed not to return to the United States without permission from the U.S. Attorney General and/or the Secretary of Homeland Security. On January 23, 2019, the defendant was convicted of 8 USC 1326 Illegal Re-entry of a Deported Alien and sentenced to time served.

I declare under penalty of perjury that the statements in this complaint are true and correct. Executed on February 02, 2019.

Continued on the attached sheet and made a part of this complaint:

☐ Yes ☒ No

Submitted by reliable electronic means, sworn to and attested telephonically per Fed. R. Cr.P. 4.1, and probable cause found on:

February 2, 2019

@ 3:50 pm

J. Scott Hacker, U.S. Magistrate Judge

Name and Title of Judicial Officer

/s/ Miguel Valle

Signature of Complainant

Miguel Valle

Senior Patrol Agent

Signature of Judicial Officer